REMARKS

Applicants respectfully request reconsideration of the subject application as amended herein.

Claims 1 – 3, 5 - 16 and 18 - 22 stand rejected.

In this Amendment, claims 1, 7, 14 and 18 have been amended. Claim 16 has been canceled without prejudice or disclaimer. No new subject matter has been added.

Rejections under 35 U.S.C. 102(e)

Claims 14 and 15 stand rejected under Section 102(e) as allegedly being anticipated by U.S. Patent 7,215,640 ("Matsubara"). Applicants respectfully traverse these rejections and submit that claims 14 and 15 are patentable over Matsubara for at least the following reasons.

Independent claim 14, as amended, recites:

> "A method for reserving bandwidth and media processing resources, comprising:
> checking whether digital signal processor (DSP) resources, for video processing and included in a source real-time routing server, are sufficient for a user to join a multimedia communication session . . .
> checking for notification of successful DSP resource reservations from destination real-time routing servers, the DSP resource reservations indicating availability of DSP resources, included in the destination real-time routing servers, for video processing of data transferred during the multimedia communication session . . . ."

Anticipation requires that each and every feature of a claim is explicitly or implicitly taught be a single reference. The above-quoted features of claim 14 are entirely absent from the teachings of Matsubara. More specifically, Matsubara does not teach "DSP resources … for video processing"; "[DSP] resources … included in a source real-time routing server"; "checking" whether DSP resources in a source real-time routing server are sufficient; "checking for notification of successful DSP resource reservations from destination real-time routing servers"; or "DSP resource reservations indicating availability of DSP resources, included in the destination real-time routing servers". Therefore, for at least the foregoing reasons, claim 14, as well as claim 15 by its dependency from claim 14, are patentable over Matsubara.

Rejections under 35 U.S.C. 103(a)

Claims 1, 2, 5 and 6 stand rejected under Section 103(a) as allegedly being unpatentable over U.S. Patent 7,215,663 ("Radulovic") in view of U.S. Patent 6,950,407 ("Huddle"); and claim 3 stands rejected under Section 103(a) as allegedly being unpatentable over Radulovic in view of Huddle and U.S. Patent 6,418,139 ("Akhtar"). Applicants respectfully traverse these rejections and submit that claims 1 – 3 and 5 - 6 are patentable over the foregoing combinations of references for at least the following reasons.

Independent claim 1, as amended, recites:

> "A system comprising:
> a plurality of real-time routing servers to route and process multimedia communication sessions over a network, wherein *each of the real-time routing servers includes a plurality of processors configured to process media data and each of the real-time routing servers is configurable to be a transit only real-time routing server or a general transit real-time routing server, wherein the transit only real-time routing server transfers the media data without processing the media data, and wherein the general transit real-time routing server transfers the media data and also processes the media data using at least one of the processors*. . . ." (Emphasis added)

To establish prima facie obviousness under Section 103, there must be 1) a suggestion or reason to combine the references' teachings, 2) a reasonable expectation of success, and 3) the references must teach or suggest all of the claim limitations. In the present application, prima facie obviousness has not been established for claims 1 – 3 and 5 - 6 because each of these claims recites limitations that are plainly not taught or suggested by the applied references.

With respect to claim 1, a careful review of Radulovic and Huddle demonstrates that their combined disclosure entirely fails to teach or suggest that "each of the real-time routing servers includes a plurality of processors configured to process media data", as required by claim 1. In addition, the proposed combination also fails to teach or suggest that "each of the real-time routing servers is configurable to be a transit only real-time routing server or a general transit real-time routing server, wherein the transit only real-time routing server transfers the media data without processing the media

data, and wherein the general transit real-time routing server transfers the media data and also processes the media data using at least one of the processors', as required by claim 1. Thus, for at least the foregoing reasons, claim 1, as well as claims 2, 5, and 6 by their dependency, are patentable over the combined teachings of Radulovic and Huddle.

With respect to claim 3, the teachings of Akhtar do not cure the above-discussed deficiencies of Radulovic and Huddle. In no instance does Akhtar teach or suggest multi-processor, real-time routing servers, much less the above-quoted features of claim 1. Thus, since claim 3 depends from claim 1, it is patentable over the combination of Radulovic, Huddle and Akhtar for at least the same reasons discussed above in connection with claim 1.

Claims 7 - 13 stand rejected under Section 103(a) as allegedly being unpatentable over U.S. Patent 7,215,663 ("Radulovic") in view of U.S. Patent 7,215,640 ("Matsubara") and U.S. Patent 6,950,407 ("Huddle"). Applicants respectfully traverse these rejections and submit that claims 7 – 13 are patentable over the foregoing combination of references for at least the following reasons.

Independent claim 7, as amended, recites:

> "A method for determining a topology of a network, comprising . . .
> setting a static neighbor configuration including one of more of the real-time routing servers;
> determining a dynamic neighbor configuration including one or more of the real-time routing servers other than the real-time routing servers included in the static neighbor configuration, the real-time routing servers being selected for inclusion in the dynamic neighbor configuration based on quality of service levels for respective paths between the real-time routing servers, hop counts along the paths, delays between the real-time routing servers, bandwidth capacity between the real-time routing servers, and common path traffic between the real-time routing servers."

In no instance does the proposed combination of references teach or suggest "setting a static neighbor configuration including one of more of the real-time routing servers", as required by claim 7. The Office Action asserts that "setting a static neighbor configuration" is taught by Radulovic's call setup requests, as disclosed in Radulovic at column 8, lines 38 – 42. Applicants respectfully disagree. Radulovic's call

setup requests are essentially messages for setting up calls between network endpoints (see, e.g. Radulovic at column 9, lines 9 – 11, and more generally, column 9, lines 1 – 54). These messages do not include "one of more of the real-time routing servers", as required by claim 7. Thus, for at least the foregoing reasons, the proposed combination of Radulovic, Matsubara and Huddle fails teach or suggest the claimed feature of "setting a static neighbor configuration including one of more of the real-time routing servers".

In addition, the cited references do not teach or suggest "determining a dynamic neighbor configuration including one or more of the real-time routing servers other than the real-time routing servers included in the static neighbor configuration", as required by claim 7. Nor do the references teach of suggest the act of "setting a static neighbor configuration" in combination with the act of "determining a dynamic neighbor configuration", as recited in claim 7. Thus, for at least these additional reasons, the proposed combination of Radulovic, Matsubara and Huddle fail teach or suggest the claimed features of claim 7.

Furthermore, the cited references do not teach or suggest "the real-time routing servers being selected for inclusion in the dynamic neighbor configuration based on . . . <u>*hop counts along the paths*</u>, <u>*delays between the real-time routing servers*</u> . . . and <u>*common path traffic between the real-time routing servers*</u>." The Office Action asserts that determining a dynamic neighbor configuration "based on quality of service levels for respective paths between real-time routing servers, hop counts along paths, delays between real-time routing servers, bandwidth capacity between real-time routing servers, and common path traffic between real-time routing servers" is taught by Matsubara at column 5, lines 42 – 64. Applicants respectfully disagree. Although Matsubara disclosed selecting network links based on QoS and bandwidth availability, Matsubara does not disclose or suggest selecting real-time routing servers based on "<u>*hop counts along the paths*</u>, <u>*delays between the real-time routing servers*</u> . . . <u>*and common path traffic between the real-time routing servers*</u>", as explicitly required by claim 7. Thus, for at least these additional reasons, the proposed combination of Radulovic, Matsubara and Huddle fail teach or suggest the claimed features of claim 7.

For at least the above reasons, claim 7, as well as claims 8 - 13 by their dependency from claim 7, are patentable over the combined teachings of Radulovic, Matsubara and Huddle.

Claims 18 - 22 stand rejected under Section 103(a) as allegedly being unpatentable over U.S. Patent 7,215,640 ("Matsubara") in view of U.S. Patent 7,076,540 ("Kurose") and U.S. Patent 7,299,349 ("Cohen"). Applicants respectfully traverse these rejections and submit that claims 18 – 22 are patentable over the foregoing combination of references for at least the following reasons.

Independent claim 18, as amended, recites:

> "if the first real-time routing server is a transit real-time routing server and not a destination real-time routing server, then forwarding the bandwidth reservation request to a downstream neighbor real-time routing server that has enough bandwidth and *leaving a usage count unchanged* . . .
>
> if the first real-time routing server is not only a transit real-time routing server but also a destination real-time routing server, then forwarding the bandwidth reservation request to a downstream neighbor real-time routing server that has enough bandwidth and *incrementing the usage count by one* . . . ." (Emphasis added)

Independent claim 20 recites these same features.

In no instance does the proposed combination of references teach or suggest "leaving a usage count unchanged" and "incrementing the usage count by one", as required by claims 18 and 20. Indeed, Matsubara, Kurose and Cohen make no mention of a "usage count" or its equivalent. The Office Action asserts that Kurose teaches the "usage count" and the above-quoted acts at column 8, lines 53 – 61 and FIG. 4, elements 50, 58 and 70. Applicants respectfully disagree with this characterization of Kurose. The cited portions of Kurose do not teach or suggest any sort of counter, much less the claimed "usage counter" or the act of conditionally incrementing a "usage counter", as required by claims 18 and 20. In sharp contrast, the cited portions of Kurose describe sending a Path message between an RSVP-incompatible server 70 and RSVP-compatible server 50. One of ordinary skill in the art would plainly not construe this disclosure of Kurose to teach or suggest Applicants' claim "usage counter" or its incrementing. Therefore, for at least the foregoing reasons, prima facie

obviousness of has not been established for independent claims 18 and 20, and thus, claims 18 and 20, as well as claims 19 and 21 – 22 by their respective dependency, are patentable over the combination of Matsubara, Kurose and Cohen.

In addition, claims 18 and 20 each recite a "first real-time routing server *concurrently functions* as a *transit server* to transfer media data not needing processing and a *destination server* to process media data needing processing." (Emphasis added). The Office Action asserts that the quoted features are taught by Cohen at column 8, line 29 – 45. Applicants respectfully disagree. The cited sections of Cohen disclose a notification sink 403 and transit points 404. As taught by Cohen, neither the notification sink 403 nor the transit points 404 ever takes on the other's primary function, that is, the notification sink never acts as a transit point, and the transit points never act as notification sinks. Cohen's transit points strictly transfer data. They do not function as notification sinks, i.e., devices that are the end recipients (destinations) of messages. Instead, Cohen's transit points merely pass data on to the next point or sink. Conversely, Cohen's notification sink 403 finally receives messages. It does not transfer them to other points. Indeed, the whole point of Cohen's system is to provide secure end-to-end communications, where encrypted notifications are as simply passed through transit points to notification sinks (see, e.g., Abstract, Cohen). Thus, upon carefully reading Cohen, one of ordinary skill in the art would conclude that Cohen plainly does not teach or suggest a real-time routing server that concurrently functions as a transit server and a destination server, as required by claims 18 and 20. For at least this additional reason, prima facie obviousness of has not been established for independent claims 18 and 20, and thus, claims 18 and 20, as well as claims 19 and 21 – 22 by their respective dependency, are patentable over the combination of Matsubara, Kurose and Cohen.

Conclusion

In view of the foregoing, Applicants respectfully submit that all pending claims in the application are patentable. Accordingly, reconsideration and allowance of the present application are respectfully requested. Should any issues remain unresolved, the Examiner is encouraged to telephone the undersigned attorney at the number provided below.

Respectfully submitted,

GAVRILOVICH, DODD & LINDSEY LLP

Dated: January 15, 2009

/Mike Lindsey/

Michael K. Lindsey
Reg. No. 39,278
Attorney of Record

Customer No. 48,490
3303 N. Showdown Pl.
Tucson, AZ 85749
(520) 760-8268
(520) 760-8269 (fax)